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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/743,143

12/23/2003

Thomas M. Schaub

11884 / 406701

7478

23838 7590 10/02/2007
KENYON & KENYON LLP
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WASHINGTON, DC 20005

EXAMINER

SEE, CAROL A

ART UNIT

PAPER NUMBER

3609

MAIL DATE

DELIVERY MODE

10/02/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/743,143

Applicant(s)

SCHAUB ET AL.

Examiner

Carol See

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 1-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 6-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

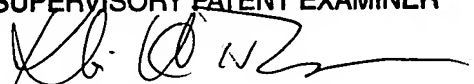
- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

KHOI H. TRAN
SUPERVISORY PATENT EXAMINER



Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of the invention that encompasses claims 6-21 in the telephone conversation on 9/20/2007 is acknowledged.
2. During a telephone conversation with attorney Gregory Grace on 9/20/2007 a provisional election was made without traverse to prosecute the invention as claimed in claims 6-21. Affirmation of this election must be made by applicant in replying to this Office action. Claims 1-5 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Claim Objections

3. Claims 6-16 and 21 are objected to because of the following informalities:
 - Claim 6, line 3: The acronym AVC should be written out, at least the first time it is referenced in the claims.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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5. Claims 6 - 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Park (U.S. 6,058,375).

As to claim 6, Park discloses an enterprise management system, comprising:

a transaction manager to receive new revenue transactions posted by an organization (col. 22, lines 11-17 and col. 23, lines 7-12 and 36-47),

an AVC manager, responsive to a new revenue transaction to execute an AVC rule represented by a control object, the AVC rule causing a comparison of previously-posted revenue of the organization and revenue of the new transaction with a revenue budget and, if the comparison fails a relationship defined for the AVC rule, causing the transaction manager to reject the new revenue transaction (col. 32, line 47 through col. 33, line 36, that shows summing of transaction data (previous and new); balancing principles as rules to determine whether a transaction is rejected; comparison with an income amount, i.e., revenue budget).

As to claim 7, Park discloses all elements of claim 6. Park further shows an AVC ledger comprising a database storing control objects and aggregations of revenue postings and revenue budget values that are operands to the control objects (col. 35, lines 1-9).

As to claim 8, Park discloses an enterprise management system, comprising:

a transaction manager to receive new transactions that revise previously stored revenue budget values (col. 23, lines 7-12 and 36-47),

an AVC manager, responsive to a new budget-revising transaction to execute an AVC rule represented by a control object, the AVC rule causing a comparison of

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previously-posted revenue values with revenue budget values including the revenue budget of the new transaction and, if the comparison fails a relationship defined for the AVC rule, causing the transaction manager to reject the new budget-revising transaction (col. 33, line 47 through col. 34, line 47).

As to claim 9, Park discloses all elements of claim 8. Park further discloses an AVC ledger comprising a database storing control objects and aggregations of revenue postings and revenue budget values that are operands to the control objects (col. 35, lines 1-10).

As to claim 10, Park discloses an AVC method, comprising:

responsive to a proposed postings of revenue or of revenue budget,
determining whether any control objects address the proposed posting (col. 32, lines 52-60),

executing AVC rules represented by each identified control object (col. 32, lines 58-60), and

if any AVC rule is violated by the posting and if the AVC rule identifies an error as a response thereto, blocking the posting from being admitted (col. 33, lines 1-6 and col. 35, lines 4-9).

As to claim 11, Park discloses all elements of claim 10. Park further discloses executing comprising:

generating a postings operand from an aggregation of previously-admitted postings values addressed by the control object (col. 32, lines 52-60),

generating a budget operand from an aggregation of revenue budget values

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addressed by the control object, the aggregation revised by the proposed posting (col. 32, lines 52-60), and

determining whether the postings operand and the budget operand satisfy a test relationship specified for the control object (col. 32, lines 52-60).

As to claim 12, Park shows all elements of claim 10. Park further discloses executing comprising:

generating a postings operand from an aggregation of previously-admitted postings values addressed by the control object and from a new revenue posting value (col. 32, lines 30-35),

generating a budget operand from an aggregation of revenue budget values addressed by the control object (col. 34, lines 40-44), and

determining whether the postings operand and the budget operand satisfy a test relationship specified for the control object (col. 32, lines 52-60).

As to claim 13, Park discloses all elements of claim 12. Park further discloses storing the postings operand in a ledger storage device associated with the control object (col. 32, lines 52- 65).

As to claim 14, Park discloses all elements of claim 12. Park further discloses storing the budget operand in a ledger storage device associated with the control object (col. 32, lines 52- 65).

As to claim 15, Park discloses all elements of claim 10. Park further discloses performing the determining, the executing and, if necessary the blocking for each of a plurality of AVC rule sets in an enterprise management system (col. 33, lines 1-5).

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As to claim 16, the limitations of claim 16 closely parallel claim 10 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 10 is directed toward method steps and claim 16 is directed toward a computer means for accomplishing those method steps as set forth in claim 10.

As to claim 17, Park discloses all elements of claim 16. The additional limitations of claim 17 closely parallel claim 11 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 11 is directed toward method steps and claim 17 is directed toward a computer means for accomplishing those method steps as set forth in claim 11.

As to claim 18, Park discloses all elements of claim 16. The additional limitations of claim 18 closely parallel claim 12 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 12 is directed toward method steps and claim 17 is directed toward a computer means for accomplishing those method steps as set forth in claim 11.

As to claim 19, Park discloses all elements of claim 16. The additional limitations of claim 19 closely parallel claim 13 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 13 is directed toward method steps and claim 19 is directed toward a computer means for accomplishing those method steps as set forth in claim 13.

As to claim 20, Park discloses all elements of claim 16. The additional limitations of claim 20 closely parallel claim 14 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 14 is directed toward method steps

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and claim 20 is directed toward a computer means for accomplishing those method steps as set forth in claim 14.

As to claim 21, Park discloses all elements of claim 16. The additional limitations of claim 21 closely parallel claim 15 and therefore are rejected under the same rationale, as being unpatentable over Park. Claim 15 is directed toward method steps and claim 21 is directed toward a computer means for accomplishing those method steps as set forth in claim 15.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carol See whose telephone number is (571) 272-9742. The examiner can normally be reached on Monday - Thursday 6:45 am - 5:15 pm.

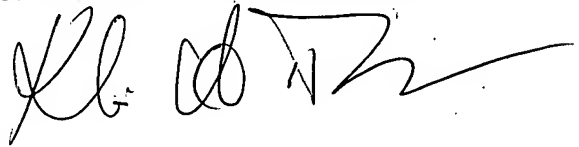
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Khoi Tran can be reached on (571) 272-6919. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Carol See
Patent Examiner
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KHOI H. TRAN
SUPERVISORY PATENT EXAMINER

A handwritten signature in black ink, appearing to read 'Khoi H. Tran', written over a horizontal line.